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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/876,568

Applicant(s)

CA ET AL.

Examiner

Peter Poltorak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The Amendment, and remarks therein, received on 3/04/2005 have been entered and carefully considered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

### ***Response to Amendment***

3. Applicant's arguments were essentially directed towards a newly introduced limitation: "generating an alarm in said removed device", which was introduced to the amended independent claims 1, 12, 17, 22 and 31-32.
4. This Office Action addresses the newly introduced limitation.
5. Claims 1-32 have been examined.
6. The rejections under 35 USC § 112 have been withdrawn.

### ***Claim Rejections - 35 USC § 102***

1. Claims 1, 10, 17, 22, 26-29 and 31-32 are rejected under 35 U.S.C. 102(b) as being anticipated by *Thurrott* (Paul Thurrott, "What's new in Windows 2000 RC2 Reviewed", [http://www.winsupersite.com/reviews/win2k\\_rc2\\_whatsnew.asp](http://www.winsupersite.com/reviews/win2k_rc2_whatsnew.asp)).
2. *Thurrott* teaches monitoring a network connection and generating an alarm if the network connection is disconnected (*Network disconnect cue section*).
3. Windows 2000 RC2 taught by *Thurrott* is implemented on computers comprising memory and processors and codes.

***Claim Rejections - 35 USC § 102 or 103***

4. Claims 1, 7-10, 12, 17, 22, 26-29 and 31-32 are rejected under 35 U.S.C. 102 as being anticipated by or, in the alternative, under 103(a) as obvious over *Cromer et al.* (U.S. Patent No. 6021493).
5. As per claims 1, 7-9, 26-28 *Cromer et al.* teach a system and method for detecting when a computer system is removed from a network (*col. 2 lines 17-19*). In particular *Cromer et al.* teach LAN software application running on the remote computer system or server that has a list of LAN clients addresses. The software polls client computers and if it does not get a response back after a predetermined number of retries, it generates an alarm resulting in alerting a LAN administrator that a client is now not attached to the LAN (*col. 7 lines 31-49*).
6. This reads on: "detecting removal of a device connected to a network by a network connection comprising monitoring the network connection and generating an alarm if the network connection is disconnected.
7. *Cromer et al.* does not explicitly teach that an alarm is generated in the removed device. However, disconnecting the remote computer system (or server) would result in lack of response to sent polls by the software application hosted on the computer system. As a result the alarm would have been generated on the device disconnected from the network. Even if disconnection of the remote computer system did not result in generation of the alarm it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement such a modification. One of ordinary skill in the art would have been motivated to perform

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such a modification in order to warn about a computer (in this case the remote computer system) being removed from a network.

8. Claims 17, 22 and 31-32 are substantially equivalent to claim 1; therefore claims 17, 22 and 31-32 are similarly rejected.

9. As per claim 12 *Cromer et al.* teach waiting for a response for a predefined time interval (*col. 8 lines 35-40*).

10. As per claims 10 and 29 *Cromer et al.* teach LAN communication utilizing IP addresses (*col. 8 line 47*).

***Claim Rejections - 35 USC § 103***

11. Claims 2-3, 13-14, 18-19 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cromer et al.* (U.S. Patent No. 6021493) in view of *Sanders et al.* (U.S. Patent No. 5231375) and in further view of *Lam* (U.S. Patent No. 6140923).

12. *Cromer et al.* teach generating an alarm if a network connection is disconnected.

13. As per claims 2, 13, 18, 23 *Cromer et al.* do not teach that the generated alarm is generates an audio output and do not teach preventing a volume of an audio output of the device from being reduced below a predefined minimum level.

14. *Sanders et al.* teach a device (*Sanders et al., theft detection and alarm system, Sanders et al., Fig. 1 object 1010*) connected to a network (*Interface Unit 1020, Data transmission System 1030, Interface Unit 1040, Theft and alarm system monitor 1050 and database 1060, Fig. 1*) by a network connection, that produces an audible alarm signal in the device (that prevents a volume of an audio output of the device from being reduced below a predefined minimum level) when a network connection

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is disconnected (*Sanders et al.*, Fig. 2, col. 5 lines 33-38), and Lam provides a motivation to combine (*Lam*, col. 48-51).

15. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to generate an alarm in the removed device as taught by *Sanders et al.*

One of ordinary skill in the art would have been motivated to perform such a modification in order to draw attention to the device.

16. Preventing a volume of an audio output of the device from being reduced below a predefined minimum level (as implemented in *Sanders et al.*'s invention) is implicit, since lowering the volume could prevent drawing attention to the device.

17. As per claims 3, 14, 19 and 24 the device implementing audible alarm system taught by *Sanders et al.* prevents the device from being turned off (*Sanders et al.*, Fig. 6 and col. 11 lines 46-49).

18. Claims 3, 14, 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cromer et al.* (U.S. Patent No. 6021493) in view of *Minasi* (Mark Minasi, "Mastering Windows NT Server 4, 6<sup>th</sup> edition, 1999, ISBN: 0782124453)

19. *Minasi* teaches assigning rights to users that grant or deny access to certain objects (resources) such as turning off a device (*Minasi*, pg. 378 §3 and, shut down rights pg. 380, turning off a device in particular).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement *Minasi*'s teaching preventing the turning off a device in order to prevent said devices from being turned off mistakenly and thereby causing false alarms.

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20. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cromer et al.* (U.S. Patent No. 6021493) in view of *Pearce* (U.S. Patent No. 6308272).

21. *Cromer et al.* teach monitoring a network connection as discussed above.

22. *Cromer et al.* do not explicitly address how said monitoring step is activated.

23. As per claim 4 *Pearce* teaches monitoring that is set to activate automatically in a passive manner (*provide security during a selected period of time, col. 6 lines 61-68*).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to configure monitoring being activated automatically in a passive manner as taught by *Pearce* in order to activate monitoring at times where the threat of network problem is most likely to occur (*e.g. after work hours*) and in order to avoid false alarms (*avoid hours of scheduled network maintenance, re-configuration etc.*).

24. It is implicit that the period time is selected by the user who must manually configure and activate the system in order for monitoring to be automatically activated in passive manner, thus reading on claim 5.

25. Claims 6, 11, 15-16, 20-21, 25 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cromer et al.* (U.S. Patent No. 6021493) in view of *Sobell* (Mark G. Sobell, "A practical guide to the UNIX system, 3<sup>rd</sup> Edition, 1997, ISBN: 0805375651).

26. *Cromer et al.* teach monitoring a network connection as discussed above.

27. *Cromer et al.* do not teach generating step being prevented by entering a password.

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28. *Sobell* teaches using a password to perform administrative tasks (*login as the Superuser, pg. 493*).

29. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use password as taught by *Sobell* in order to perform administrative tasks limited only to authorized (administrative and supportive) staff. One of ordinary skill in the art would have been motivated to perform such a modification in order to be able to perform administrative tasks such as device relocations, troubleshooting, network upgrade etc. without triggering false alarms.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

ActiveWin, "Windows 2000 History",

<http://www.activewin.com/win2000/history.shtml>,

Svensson et al. (*U.S. Patent No. 5926091*),

Lockyer (*U.S. Patent No. 6064305*),

Cummings et al. (*U.S. Patent No. 5406260*),

Krehnke et al. (*U.S. Patent No. 6014746*),

Mosley et al. (*U.S. Patent No. 5630058*).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP



§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

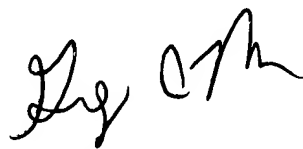
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571)272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Signature  
7/28/05  
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